

**POLICY AND LAW COMMITTEE MEETING
OCTOBER 12, 2006 – 1 PM
APPOQUINIMINK STATE SERVICE CENTER – MIDDLETOWN, DE**

Present: Brian Hartman, DLP; Tim Brooks, CDS; Pat Maichle, DDC; Wendy Strauss, GACEC; Jamie Wolfe, Consumer (via phone); Charlotte Herbert, LDAF; Doyle Dobbins DELARF; Marge Turner, UCP; Vince Boehm, DDC; Kyle Hodges, Staff

Absent: Bob Osgood, SCPD; Daniese McMullin-Powell, SCPD; Chris Long, DHSS/DDDS; Norwood Coleman, Consumer; Ray Brouillette Easter Seals; Carolanne O'Brien, DVR; Victor Orija, Ombudsman Office; Karen Lazar, Ombudsman's Office; Rita Marocco, NAMI-DE; Tony Horstman, SCPD; Rita Landgraf, SCPD; Regina Byers, GCAAPD; Brian Bard, Consumer; Liz Schantz, Consumer; Cookie Austin, SCPD

CALL TO ORDER

In the absence of the co-chairs, Kyle Hodges called the meeting to order at 1:10 PM.

ADDITIONS OR DELETIONS TO THE AGENDA

The following topic was added to the agenda: HB 30 Funding

APPROVAL OF MINUTES

Motion was made, seconded and approved to accept the September 2006 meeting minutes as submitted.

REVIEW OF LEGISLATION AND REGULATIONS

1. DOE Final DSTP Regulations [10 DE Reg. 676 (October 1, 2006)] – It was agreed to take no action.
2. DOE Final Criminal Background Check Regulations [10 DE Reg. 684 (October 1, 2006)] - It was agreed to take no action.
3. DMMA Final LTC Income First Regulation [10 DE Reg. 702 (October 1, 2006)] - It was agreed to take no action.
4. DMMA Final LTC Medical/Remedial Care Expense Deduction Reg. [10 DE Reg. 703 (10/1/06)] - It was agreed to take no action.
5. DMMA Final Institutionalized Spouse Regulation. [10 DE Reg. 701 (October 1, 2006)] - Since there still appears to be some tension between DMMA's definition of institutionalized spouse and the Federal standards, motion was made, seconded and approved for SCPD to once again request CMS's perspective on this issue.

6. DSS Final TANF Regulations [10 DE Reg. 706 (October 1, 2006)] – It was agreed to take no action.

7. DOE Proposed Physical Fitness Regulations [10 DE Reg 615 (October 1, 2006)] – Motion was made, seconded and approved for SCPD to share the observations with DOE and SBE consistent with Brian’s memo. Vince Boehm opposed and Tim Brooks abstained. In addition, it was agreed that GACEC would determine the assessment format.

8. DOE Prop. Groves High School Regulations [10 DE Reg. 617 (October 1, 2006)] – It was agreed to add a statement consistent with the following: Students who use the Delaware Transit Corporation’s Paratransit system have to be ready to leave at a scheduled “pick up” time. This could limit a student’s ability to stay in class, depending on when the last pick up time occurs and scheduled class hours. Motion was made, seconded and approved for SCPD to share the observations with the DOE and SBE consistent with Brian’s memo and the aforementioned issue. Tim Brooks abstained.

9. DOE Prop. Teacher of Visually Impaired Certificate Reg. [10 DE Reg. 623 (October 1, 2006)] - Motion was made, seconded and approved for SCPD to share the observations with the DOE and SBE consistent with Brian’s memo. Tim Brooks abstained.

10. DOE Prop. Adult & Prison Educator Certification Reg. [10 DE Reg. 600 (October 1, 2006)] – It was agreed to take no action.

11. DOE Final Early Childhood Teacher Cert. Reg. [10 DE Reg. 696 (October 1, 2006)] - Motion was made, seconded and approved for SCPD to write a letter to the DOE and SBE (with a copy to the Registrar) expressing concern with the approach adopted in publishing the final regulations.

12. DSS Prop. Food Stamp Regulations [10 DE Reg. 626 (October 1, 2006)] - Motion was made, seconded and approved for SCPD to write a letter to DSS sharing the observations consistent with Brian’s memo.

13. Draft Accessible Parking Plates & Placards Bill – It was agreed that the “verbal affirmation” approach is too loose and that some type of written affirmation is more appropriate. In addition, any letter will note that SCPD recommends that DMV collaborate with other appropriate state agencies to decrease the number of fraudulent plates/placards. For example, DMV may want to consider collaborating with Vital Statistics within the Division of Public Health to develop a process of determining when an individual dies so the plate and/or placard may be retrieved. Motion was made seconded and approved for SCPD to write DMV with the observations in Brian’s memo and the aforementioned issues. The letter will be copied to the PVA.

OTHER BUSINESS

- Kyle reported that the Delaware Health Fund Advisory Committee hearings are now scheduled. Kyle has received information from DSAAPD regarding funding, participation and waiting lists for the state and tobacco funded programs. This program has been “flat” funded since its inception. Motion was made, seconded and approved for SCPD to write a letter requesting an increase in funding in such a way as to eliminate the waiting list. The letter will also stress the issue of the program being flat funded.
- Kyle asked if the DDDS patient pay issue had been remedied. Tim or Brian will check on this issue.
- Motion was made, seconded and approved to write a letter to Congressman Castle asking him to support the Lifespan Respite Care Act of 2005 and sign on as co-sponsor.

ADJOURNMENT

The meeting was adjourned at 2:50 PM.

Respectively submitted,

Kyle Hodges
SCPD Administrator
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